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IN RE THE PUBLIC HEARING OF THE )  
CALFED BAY-DELTA PROGRAM )  
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TRANSCRIPT OF PROCEEDINGS  
Kern Agricultural Pavillion  
3300 East Belle Terrace  
Bakersfield, California

Wednesday, April 29, 1998

**ORIGINAL**

REPORTED BY: TIMOTHY SCOTT, CSR NO. 8517

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APPEARANCES:

JOSEPH BODOVITZ, Hearing Officer

RICK BREITENBACH, Assistant Director for  
Environmental Documentation CALFED

ROBERT POTTER, California Department of  
Water Resources

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1 (All parties present, the following proceedings were  
2 had at 7:00 p.m.):  
3  
4 MR. BODOVITZ: I would like to welcome  
5 everyone to the fifth in a series of seventeen public  
6 hearings being conducted by the CALFED Bay-Delta  
7 Project. We were in Ontario last night. We'll be in  
8 Santa Cruz tomorrow night.

9 On the table in the back is a schedule  
10 of the rest of the hearings. In a moment I will go  
11 over the ground rules for tonight. The key thing for  
12 now is we take speakers in the order they sign these  
13 yellow cards over on the table in that corner.

14 If you wish to speak, and haven't done  
15 so, please sign a yellow card, and we'll, as I say,  
16 take speakers in the order in which the cards are  
17 signed.

18 My name is Joe Bodovitz, and I will  
19 preside at tonight's hearing.

20 I am actually not a part of the CALFED  
21 Bay-Delta Project; rather, I work for a small  
22 nonprofit organization that tries to help people find  
23 as much agreement as possible on complicated issues  
24 affecting the economy and the environment in  
25 California, water obviously being one of those.

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5

1 Stewart. I intended to introduce you.

2 Thanks very much.

3 Rick.

4 MR. BREITENBACH: Thank you, Joe.

5 Can everybody see that in the back? Is  
6 it light enough? Dark enough? Am I in too many  
7 people's way? I'm trying to find a happy medium  
8 here. I don't know if I can get there.

9 What I would like to do is just make a  
10 couple of observations about the program, and give  
11 you plenty of time to make your presentations  
12 tonight.

13 What I would like to start with are the  
14 people that are actively involved in the program,  
15 talk a little bit about them.

16 As you see from this chart at the top,  
17 both of the Governor and the Secretary of Interior  
18 are a part of the program. I think their presence  
19 there demonstrates the importance that both state and  
20 the federal government place in finding a resolution  
21 to the problems in the Delta.

22 Embodied within the CALFED Bay-Delta  
23 Program are five state and ten federal agencies, all  
24 with regulatory management responsibilities for  
25 activities within the Delta. All of them working

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1 I was asked to preside at these hearings  
2 as one more effort to ensure that the hearing record  
3 on the CALFED Bay-Delta environmental documents are  
4 as complete and independent and unbiased as all of us  
5 can make it.

6 In a couple of moments I will explain  
7 the ground rules for our hearing tonight. There  
8 aren't many. It's very simple. But before doing so,  
9 I would like to do two things. One is introduce the  
10 gentleman on my right, Bob Potter, known to many of  
11 you as Chief Deputy Director of the State Department  
12 of Water Resources, and one of the key  
13 decision-makers involved in the CALFED Bay-Delta  
14 Project.

15 And next, on my left, Rick Breitenbach  
16 of the CALFED Bay-Delta Project staff.

17 So that we're all clear about what it is  
18 we're here to discuss tonight, I'm going to ask Rick  
19 to give a very quick summary of the environmental  
20 documents and the CALFED Bay-Delta process.

21 Rick.

22 MR. BREITENBACH: Thank you, Joe.

23 Before I go on, let me introduce --

24 MR. BODOVITZ: Pardon me. Stewart Pyle  
25 of the Bay-Delta Advisory Committee is here. Sorry,

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1 with the program on a daily basis to resolve the  
2 problems in the Delta.

3 We also have a sizable amount of public  
4 participation. An example is the Bay-Delta Advisory  
5 Council, of which Stuart is a member.

6 These folks were appointed by the  
7 Secretary and the Governor to be a part of this  
8 advisory council to advise the program on the  
9 direction that we're heading, to carry information  
10 back to their constituents so they understand what  
11 the CALFED program is all about. They also  
12 participate with the program in a variety of work  
13 groups, helping us to come to solutions about the  
14 problems.

15 So what are the problems all about? I  
16 think all of you have been through this a number of  
17 times. Obviously, the reliability of water to ag and  
18 urban areas has diminished. Habitat in the Bay-Delta  
19 system is degrading. The quality of the water seems  
20 to be on a decline in the Bay-Delta system, and the  
21 levees obviously are unstable.

22 That entails the four problems we're  
23 dealing with. In the past when folks have taken a  
24 shot at resolving one or more of these problems, they  
25 usually focus on only one of them, and as a result,

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1 coming to some solution, while it's a good solution,  
2 there's conflict with one of the other problem areas.  
3 So what we have tried to do as a program  
4 is come up with a solution that deals with all four  
5 so you don't have these conflicts at the end. We  
6 come out with a win/win in all situations.

7 The alternatives: We have eight  
8 different pieces to the puzzle, eight different  
9 components to each alternative. Six of them are the  
10 same among all alternatives; these six. Two of them  
11 are slightly different among the different  
12 alternatives.

13 The ones that are the same when you read  
14 through your reports, they are the ones we refer to  
15 as the common programs; they are common to all the  
16 alternatives. The ones that differ are the ones we  
17 call storage programs.

18 We got over here in the back some poster  
19 boards that clearly lay out the storage and  
20 conveyance aspects of the alternatives. I'm going to  
21 ask when you have a chance during the break or at the  
22 end, to go over and look at them and get a good  
23 understanding of what we're contemplating with  
24 respect to storage and conveyance.

25 With respect to common programs,

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1 have identified that in the environmental document.  
2 The ecosystem restoration program: If  
3 we're going to develop habitat within the Delta, some  
4 ag land may be affected. If we develop up in the  
5 Sacramento basin or up in the San Joaquin Basin, some  
6 land may be affected, and some of that land may be ag  
7 land.

8 I think we came up with a number in the  
9 document.

10 The water quality program: One of the  
11 plans within the program is to retire some of the  
12 lands on the west side, the drainage-problem lands,  
13 the ones that were identified in the Rainbow report,  
14 if any of you are familiar with that document.

15 Specifically, those that drain into the  
16 San Joaquin side, because that eventually drains into  
17 the Delta.

18 The water use efficiency program: We  
19 have no intent to retire any lands for water  
20 conservation. There is nothing in our environmental  
21 document at this time that retires any lands for  
22 water conservation purposes.

23 We did write a report, and I'm sure all  
24 of you have seen that report, where there was some  
25 discussion about if you took 400- to 600,000 acres

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11

1 basically what we're up to is, we're looking to  
2 restore the habitat. We're looking for locally-led  
3 activities within the watershed. We're looking to  
4 obviously to restore the levees. We're trying to  
5 find ways in which we can simplify the movement of  
6 water between voluntary sellers and buyers while  
7 protecting the source areas, where the water came  
8 from and the resources in those areas.

9 Water quality, we're looking to improve  
10 the water quality by going back to where the problems  
11 start, and treating those areas.

12 Water use efficiency, we're looking for  
13 a more efficient -- looking into more efficient ways  
14 of using existing water supplies as well as any we  
15 develop with the program.

16 I would like to digress here just for a  
17 minute.

18 We've been to what -- this is our fifth  
19 public hearing now. In three of them, people have  
20 commented about land retirement associated with the  
21 water use efficiency program. And let me step  
22 through what the program is proposing. With levee  
23 system integrity, if we enlarge levees in the Delta,  
24 we may wind up changing land use within the Delta.

25 Some ag land may be affected, and we

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10

1 out, what sort of consequences would that have? What  
2 sort of benefits would it have in terms of additional  
3 water supply?

4 Right now, the environmental document  
5 contains nothing with respect to -- there's no  
6 proposal for retiring land for purposes of water  
7 conservation.

8 Just a couple of points about the two of  
9 these documents.

10 If you haven't had a chance to read it,  
11 the programmatic EIS/EIR is made up of a number of  
12 documents. First, I would like to talk about this  
13 main document, and that's basically the document that  
14 describes about the consequences of the alternatives.  
15 When you have read -- those of you that  
16 have read environmental documents in the past have  
17 probably read what I call project-specific or  
18 action-specific environmental documents. It gives  
19 you a real clear understanding of what the action is,  
20 very specifically described; you know exactly where  
21 they are going to build it, how it's going to be  
22 operated, and so forth.

23 When you've read the consequences  
24 ascribed in those reports -- it's very specific  
25 consequences -- you know exactly what's going to

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1 happen, how many acres are going to be affected, how  
2 much water is going to be affected, what sort of  
3 archeological resources are going to be affected.  
4 Now, when you've read our document, I  
5 know you've gotten a good understanding of what we're  
6 about. And you've gotten a good understanding of the  
7 consequences. But it's certainly not the type of  
8 description you would get if you read a  
9 project-specific document. And that's because we  
10 have prepared a programmatic EIS/EIR.

11 We're not about making a decision about  
12 a specific action right now. We're not going to say  
13 go out and build this. We're not going to say set up  
14 this habitat here.

15 What we're going to make a decision on  
16 is a direction, a programmatic direction that  
17 eventually there will be actions taken. And when  
18 those actions are taken, we'll do much more  
19 site-specific documents to evaluate the consequences  
20 of putting those actions into place.

21 The second document is the phase 2  
22 interim report. This document contains two pieces of  
23 information that I think are really beneficial to all  
24 of you. If this is the only document you get to  
25 read, I would like you to read this one.

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1 beneficiaries should pay? Do you think the public  
2 should wind up paying? Do you think it should be a  
3 mixture of both? We would like to hear that from  
4 you.

5 Assurances: How are we going to hold  
6 the coalition together? It's going to take  
7 twenty-five to thirty years. How are we going to  
8 make sure everybody gets when they wanted or what  
9 they thought they were going to get when this all  
10 started? What are your ideas about how to hold it  
11 all together?

12 And the last one: Selection of a  
13 preferred alternative. You read the documents. You  
14 got some ideas. What do you think should be the  
15 preferred alternative? What should be part of the  
16 preferred alternative? What direction should we be  
17 heading?

18 What's next? Twelve more public  
19 hearings. We'll take all the comments from the  
20 seventeen public hearings and use them to improve  
21 upon the document that we've prepared, adjust the  
22 document.

23 At the same time, we're taking comments  
24 in writing. That started March 16th, and it ends  
25 June 1st.

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1 First of all, it carries on from the  
2 evaluations in the main document to give you a sense  
3 of what happens to the alternatives -- the  
4 consequences of the alternatives.

5 More importantly, it talks about the  
6 issues that we all need to grapple with if we want to  
7 get to a preferred alternative, very difficult  
8 issues. But it leaves out a good number of them, and  
9 hopefully the majority of those we have to deal with,  
10 because there are a lot of them.

11 Obviously, we haven't identified a  
12 preferred alternative yet. These are some of the  
13 issues that we're going to have to deal with. They  
14 are the same issues that all of you are going to talk  
15 about tonight when you present your points of view  
16 about the document. You know, you're going to talk  
17 about whether or not we've done a good job evaluating  
18 the consequences of the alternatives, even at a  
19 programmatic level. You're going to talk about the  
20 assumptions we made and the tools that we used.

21 This question of willingness to pay:  
22 I'm sure some of you will ask, how's it going to be  
23 paid for. Some of you will say this is how we think  
24 it should be paid for. And that's the type of  
25 information we need to hear from you. Do you think

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1 So we'll take all of those comments,  
2 oral or written, and adjust the document. We're  
3 going to select the preferred alternative hopefully  
4 by late summer.

5 Again, we're not going to do this in  
6 isolation. We're going to work with just about  
7 everybody you can possibly think of, including all of  
8 you, local officials, elected officials from the  
9 state, the national level, stakeholders, all of our  
10 CALFED agencies; we're all going to work together to  
11 come to what the preferred alternative will be. By  
12 the end of the year, we hope to certify the EIS/EIR  
13 and lay out that programmatic approach to resolving  
14 problems. And, then, over a period of twenty-five to  
15 thirty years, start to implement that solution.

16 That concludes my presentation.

17 MR. BODOVITZ: Thanks very much, Rick.  
18 We'll now go directly to comments, the main purpose  
19 of the evening.

20 Let me repeat for those of you who may  
21 have come in late. We're taking speakers in the  
22 order in which we received the signed yellow cards.

23 If you wish to speak and haven't filled  
24 out a card, they are on the table over in the corner.

25 As I mentioned, there are seventeen of

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16

1 these hearings, and we're trying to do the same --  
2 follow the same procedure at all of them.  
3 I neglected to mention that we were in  
4 Fresno a week ago tonight, and we'll be in Stockton  
5 on the 27th of May, and several others are in the  
6 northern valley in the Delta.

7 The ground rules are very simple for  
8 tonight.

9 First, we have a court reporter so that  
10 there will be a complete transcript of everything  
11 that is said tonight. The significance of that is  
12 all the people who are decision-makers in this  
13 process will have access to a complete record of all  
14 the comments.

15 And in accordance with the procedures  
16 for environmental documents, every comment of  
17 substance will be responded to. So you may be  
18 assured that attention will be paid to the comments  
19 that you make.

20 Number three, we ask everybody to hold  
21 their comments, verbal comments, to three minutes.  
22 And I would be the first to say that three minutes is  
23 not very long on a subject this complicated. But as  
24 we have learned in hearings already, it's possible to  
25 cover a great deal of ground in three minutes if you

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1 Lockhart of the Sierra Club, the second, Mayor Bob  
2 Price of Bakersfield, the third, Jim Crettol of the  
3 Kern County Farm Bureau.

4 So, Ms. Lockhart, if you're here and  
5 ready to go.

6 MS. LOCKHART: Thank you very much.

7 My name is Mary Ann Lockhart. I'm  
8 representing the Kern Kaweah chapter of the Sierra  
9 Club, 1200 members in the Kern Kaweah chapter in this  
10 area. And I hope I'll still be in good standing with  
11 all of them after this is all over.

12 But, anyway, CALFED has been most  
13 impressive, what has been accomplished over the past  
14 five or so years. Just bringing all the water  
15 warriors together and keeping them talking at the  
16 same table has been a feat in itself. And the  
17 accumulation of background materials and the  
18 starting-from-scratch process that you've gathered it  
19 with and analyzed it is really all inspiring.

20 But, of course, here come bounds of  
21 folks along who want to say this and that about it,  
22 and wish that you had taken this point of view and  
23 that point of view. And I'm one of those.

24 For example, in the documents, you did  
25 mention water conservation, and you did mention water

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1 get to the heart of what it is you want to say. And  
2 secondly, and perhaps equally important, written  
3 comments of any length on these documents may be  
4 submitted as long as they are sent in by June 1st.  
5 So you have another month to send in the written  
6 comments of whatever length you want.

7 Finally, as an aid to helping people  
8 stay within three minutes, we have a little traffic  
9 light up here. When the green light is on, go. When  
10 the yellow light is on, you have one minute. When  
11 the red light is on, we ask you complete that  
12 sentence, or at least that paragraph, so that the  
13 next speaker may be heard from.

14 I am going to call three speakers at the  
15 beginning, and I will let us know, all know, who the  
16 next three speakers will be.

17 If you happen to be sandwiched in the  
18 middle of a row, we have some chairs on the aisle  
19 here that have "reserved" papers on them so you won't  
20 have to rustle in and out of a row, and we'll try to  
21 make sure we're spending our time listening to  
22 comments rather than everybody moving back and forth.

23 Again, the cards are in the order we got  
24 them.

25 The first speaker will be Mary Ann

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18

1 efficiency, but we feel not enough.

2 Let's just talk about agriculture and  
3 water, for instance. This industry uses 80 percent  
4 of our developed water, and it only conserves 1  
5 percent of that water. Just can't quite buy that  
6 after reading reports from the National Resources  
7 Defense Council; they cite case after case of farmers  
8 reducing their water use by 25 percent, 30 percent,  
9 even up to 50 percent, and living to tell the tales.  
10 In other words, they're making profits and being able  
11 to live and do well.

12 Well, believe me, in this area we do  
13 appreciate the role that ag plays; it's a \$24 billion  
14 industry that gives us good foods and supplies many  
15 jobs, but I almost feel that you're kind of insulting  
16 the intelligence of and honor of farmers by assuming  
17 they can't do more to save water, and will do more if  
18 provided with more information and even perhaps  
19 financial help.

20 Of course, there is all us urban  
21 dwellers here in the crowd, too. We have to talk to  
22 them about conserving water. I hope everybody knows  
23 that each time you flush your toilet, you use four to  
24 seven gallons of water. For a family, that's about a  
25 hundred gallons a day. Now, we're not suggesting

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1 anyone not flush their toilet, but if you install a  
2 low-flush toilet, you can reduce that quantity of  
3 water to as low as a gallon and a half for each job  
4 and still do the job.

5 You have to invest money for this, but  
6 you can stable out, especially if you are charged  
7 more, usually much more for using water above a  
8 specified amount. And that's the whole concept of  
9 tiered pricing. If you include that more into the  
10 program, you can get a lot of people to be saving  
11 water; not just individuals, but also industry. That  
12 inspires a lot of action.

13 And there is a lot things people can do  
14 without even having to spend a cent. You wash your  
15 car. Ten minutes with a hose, a hundred gallons.  
16 Bucket, yet that old-fashioned bucket may cost you  
17 fifteen cents for that, and a hose, twenty gallons.  
18 Now, that's really saving water. Just getting people  
19 to change their habits. If you could push that much  
20 more, you could help a lot in conserving water.

21 Particularly, when you start doing the  
22 math, you think a little bit here and a little bit  
23 there from all the individuals, and then multiply it  
24 by the population of California, you come up with  
25 real water and dollar savings.

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21

1 "The city has an urban water  
2 conservation program, and has had this program in  
3 place for several years.

4 "These measures include water education  
5 and public information programs, water waste  
6 prohibition ordinances, landscape conservation  
7 programs, and, of course, metering.

8 "We have instituted all of this on a  
9 voluntary basis, and enjoy one of the lowest per  
10 capita residential water-use rates in the San Joaquin  
11 Valley.

12 "We are concerned about the requirements  
13 for increased levels of water use, of urban water-use  
14 efficiency programs that appear in the three CALFED  
15 alternatives. Water conservation is something that  
16 people want to do.

17 "The city of Bakersfield does not wish  
18 to see urban water efficiency programs mandated into  
19 law as part of the CALFED alternative. We believe in  
20 a system of voluntary compliance with water  
21 conservation practices.

22 "The three alternatives speak of  
23 expanding and increasing urban conservation measures  
24 in the Tulare Lake region to achieve savings of over  
25 200,000 acre feet per year by the year 2020.

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23

1 And, CALFED, just think about it, when  
2 you really set your mind to it, you got a lot of  
3 experts here, you can really come up with some more  
4 good conservation ideas instead of turning to water  
5 storage immediately.

6 MR. BODOVITZ: Ms. Lockhart, the time  
7 has gone by.

8 MS. LOCKHART: Thank you.

9 MR. BODOVITZ: Thank you very much.

10 Mayor Bob Price of Bakersfield, Jim  
11 Crettol of the Farm Bureau, Assemblyman Robert  
12 Prenter.

13 MR. CORE: I am not Bob Price. I am  
14 speaking for the mayor. My name is Florn Core, City  
15 of Bakersfield, California.

16 I would like to read into the record a  
17 letter we would be submitting to this process. I'll  
18 paraphrase from it.

19 "The city of the Bakersfield obtained  
20 and owns water rights to the Kern River and benefits  
21 from the use of the ground water from our local  
22 aquifers.

23 "We are aware of the fact that the local  
24 supply is a valuable resource, and the basis for  
25 maintaining our economy and quality of life.

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22

1 "There is no solid evidence that the  
2 proposed water use efficiency programs could provide  
3 these large amounts of water to either conservation  
4 and/or reclamation.

5 "The purpose of such measures would be  
6 to reduce urban demand around the state in order to  
7 free up additional water to flow through the Delta.

8 "The city of Bakersfield has a  
9 locally-derived water supply and delivery system that  
10 has proven to be reliable and at a reasonable cost to  
11 our customers.

12 "Who will pay for the implementation of  
13 these programs to help the Delta? Would we in  
14 Bakersfield be expected to raise our water rates and  
15 pass our costs on to our customers?

16 "California is home to 32 million  
17 people, and the population is predicted to rise.  
18 Bakersfield continues to grow with this rapid pace.  
19 The drought of 1987 to 1992 made water conservation  
20 and reduced water use a way of life for the people of  
21 Bakersfield; however, water conservation and  
22 reclamation cannot provide the water needs for  
23 millions of new California residents, and yet, still  
24 provide increased Delta flows.

25 "Any CALFED alternative chosen for a

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1 Delta solution must address these issues as well as  
2 those involving improvements to the Delta ecosystem."

3 Thank you.

4 MR. BODOVITZ: Thank you, sir.

5 Mr. Crettol, followed by representative,  
6 I think, of Assemblyman Prenter, followed by a  
7 representative of Congressman Thomas.

8 MR. CRETOL: Good evening. My name is  
9 Jim Crettol. I'm the president of the Kern County  
10 Farm Bureau. Thank you for allowing us to speak this  
11 evening.

12 Initially, you know, the Bakersfield  
13 Californian paper came out recently. It said  
14 retiring farm land suggested. I guess that's been  
15 taken off the books. State facing serious water  
16 shortage by the year 2020. That was outlined in the  
17 California Water Plan by the Department of Water  
18 Resources.

19 Our position on some of these very  
20 important issues are that farmlands should not be  
21 idle. Maybe it's off the table at this time. At  
22 some point it may come back on. We would have a  
23 tendency to fight that vehemently. I do applaud the  
24 work the Department of Water Resources has done, the  
25 California Water Plan; it's like a bible for water in

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1 stretch it out to the year 2020, in a normal year,  
2 based on what we know and what's projected,  
3 California -- the Tulare Lake region -- will suffer  
4 735,000 acre feet of shortfall of water shortages.  
5 In a drought year, 1.8 million.

6 I know the areas of Los Angeles and  
7 other areas that are heavily populated aren't  
8 forecasted to have severe water shortages because, as  
9 Gene Jones put it, they have the ability to pay.

10 Well, we in agriculture are a wholesale  
11 type industry. We thrive and do conserve water. We  
12 can do a little more, as the lady earlier stated, you  
13 know, she thought we could do a -- we could do a  
14 little more. But as stated in this document,  
15 California agriculture is one of the most  
16 energy-efficient users of water in the state of  
17 California and other areas.

18 So I just want to summarize that we're  
19 very concerned. We have some wonderful speakers here  
20 this evening -- please pay attention -- wonderful  
21 water district and people that really know what's  
22 going on in water.

23 Thank you.

24 MR. BODOVITZ: Thank you. The  
25 representative of Assembly Prenter, then the

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1 the future. I read all of Chapter 2 -- there's 1 and  
2 2. Chapter 2 has the solutions. Why do you want to  
3 read Chapter 1? You want solutions.

4 There are three very important sentences  
5 stated in the summary. Toward the end, the  
6 California population is forecast to increase to  
7 47-and-a-half million people by the year 2020,  
8 approximately 15 more million people by the year  
9 1995.

10 Irrigated crop acreage is expected to  
11 decline by 330,000 acres by the 1995 level by the  
12 year 2020. Very important, significant factors to  
13 agriculture.

14 One last statement that's very  
15 important, and this is kind of a summary in one  
16 sentence from the Department of Water Resource.  
17 Californians cannot afford to sustain future water  
18 shortages of this magnitude, and there's a chart here  
19 toward the end. And it shows all the hydraulic  
20 regions of this state, and Tulare Lake region is the  
21 region we're in in Kern County, the southern end of  
22 the valley. In the year 1995, 870,000 acre feet of  
23 shortfall in a normal year; in a drought year, it's  
24 estimated 1,862,000 acre feet of shortage.

25 By -- that's in the year 1995. You

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1 representative of Congressman Thomas, then the  
2 representative of Congressman Dooley.

3 Mr. Prenter's representative.

4 MR. STOVALL: I believe, sir,  
5 Mr. Prenter's representative was unable to make it.

6 MR. BODOVITZ: If he comes in, if  
7 someone would let me know, we'll certainly recognize  
8 him.

9 MR. STOVALL: Thank you.

10 MR. BODOVITZ: Then Mr. Thomas's.

11 MR. STOVALL: Right. That falls to me.  
12 My name is John Stovall.

13 Congressman Thomas was unable to make it  
14 tonight. He's back doing our work in Sacramento --  
15 or Washington, rather. And asked that we read his  
16 comments into the record. Congressman Thomas  
17 represents the 21st District, which is primarily the  
18 Bakersfield area, and is Chair of the House Oversight  
19 Committee.

20 He states, addressed to the CALFED  
21 Bay-Delta Program: "Dear Friends, it gives me great  
22 pleasure to know that supply of water to future  
23 generations of Californians will be worked out by the  
24 CALFED agencies and California stakeholders. I do  
25 not envy the serious work you have to handle, but I

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1 am confident that Californians representing the  
2 district and legitimate interests will come up with a  
3 workable solution.

4 I also remind you of a lesson I have  
5 learned in my years as a legislator. The greatest  
6 legislative mistakes have come about when process was  
7 ignored in favor of short-term and one-sided fixes.  
8 All of the interests represented in this room need  
9 water. Indeed, water is life to all of us. It is  
10 biologically imperative for all species. It is an  
11 economic necessity for the valley. It is a minimum  
12 requirement for every civilized household.

13 The negotiated system you create will  
14 recognize that a solution requires a balanced program  
15 that meets supply needs, water quality objectives,  
16 and ecosystem restoration in the Delta.

17 While we cannot start with a blank  
18 slate, no one can expect any one side to simply  
19 abandon their interests.

20 You cannot expect farmers to sacrifice  
21 their farms in order to satisfy the thirsts of other  
22 stakeholders any more than you can expect urban users  
23 to move to New Jersey or strike fast to abandon their  
24 Delta habitat.

25 I encourage you to consider improvements

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1 productive agricultural region in the world,  
2 providing a stable, abundant supply of high quality  
3 food and fiber for the entire nation and for our  
4 trading partners. In fact, if the four-county area  
5 that I represent -- Fresno, Tulare, Kings and Kern  
6 Counties -- were a state, it would be ranked number  
7 four in the country in terms of agricultural  
8 production just behind California, Texas, and Iowa.

9 "The CVP also includes features that  
10 control flooding, reduced serious overdrafts of  
11 ground water, and provide water and environmentally  
12 clean hydroelectric power for cities and industries.

13 "The challenges faced by consumers of  
14 California water continue to increase even in the  
15 midst of some very wet years. And in 1996, voters of  
16 California passed Proposition 204 in an attempt to  
17 bring about a long-term solution to some of our  
18 greatest challenges in the Delta.

19 "Last year the Clinton administration  
20 and Congress approved 85 million for the CALFED  
21 Bay-Delta Program, and the administration followed up  
22 with 143 million requests in the 1999 budget for  
23 continued support and assistance.

24 "This public/private endeavor  
25 encompasses federal and state agencies, businesses,

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1 to the water supply mechanism which can both husband  
2 and recycle our resources as well as ease the supply  
3 burden on other interests. Improved conveyances and  
4 storage facilities should be key elements of the  
5 program.

6 Finally, I remind you that the funding  
7 for the CALFED program will undoubtedly involve  
8 Congress.

9 We in California must first agree among  
10 ourselves what we want other people in the nation to  
11 support. It is all the more reason to build a broad  
12 coalition of support with a balanced program.

13 And we have additional copies, if anyone  
14 would like.

15 MR. BOMR. BODOVITZ: Thank you very  
16 much, Mr. Stovall.

17 Spokesman for Congressman Dooley, then  
18 Supervisor Barbara Patrick, then Stuart Pyle,  
19 consultant and member of the Bay-Delta Advisory  
20 Committee.

21 MR. FRIER: I'm Lloyd Frier of Kern  
22 County Water Agency. I've been asked to read the  
23 statement of Congressman Cal Dooley.

24 "The Central Valley project has made the  
25 congressional district that I represent the most

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1 farmers, consumers, economists, and environmentalists  
2 who support its emphasis on solving both water-supply  
3 problems and ecological problems simultaneously.

4 "As you may know, the CALFED Bay-Delta  
5 Program has wide bipartisan support in the California  
6 congressional delegation, and my colleague George  
7 Rodanivach and I recently coordinated an effort to,  
8 in the delegation, to reaffirm our support for full  
9 funding of the Bay-Delta Program.

10 "I'm here today to pledge my continued  
11 support for the program because I believe that we  
12 have a historic opportunity to find coordinated  
13 long-term solutions to our water-supply problems.  
14 However, this sometimes fragile coalition can only be  
15 maintained if each of the stakeholder's key goals  
16 continue to be of primary importance in the ongoing  
17 implementation of the program.

18 "No one can be left behind. If the ag  
19 community detects a retreat on the commitment of the  
20 coalition to alleviate our water-supply problems, the  
21 coalition will fall apart, and the Federal  
22 government's commitment to the process will naturally  
23 be diminished.

24 "Make no mistake, the CALFED Bay-Delta  
25 program has always been about assuring a reliable

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1 water supply as much as it has been about improving  
2 the environment.  
3 "The day that those twin goals are not  
4 met, is the day that the coalition is shattered.  
5 "We must continue to work diligently to  
6 meet each of these goals. As long as that commitment  
7 is there, I stand ready to continue to build support  
8 in Congress and the administration for the CALFED  
9 Bay-Delta Program."

10 Thank you again for providing the  
11 opportunity to testify."

12 MR. BODOVITZ: Thank you very much, sir.  
13 Kern County Supervisor Barbara Patrick,  
14 then Stuart Pyle, then Dan Macon of the California  
15 Farm Water Collision.

16 MS. BANS: Good evening. My name is Jan  
17 Bans with Supervisor Patrick's office. The  
18 supervisor, as a member of the California Air  
19 Resources Board, is in Detroit, Michigan this week  
20 meeting with the three big auto makers, and asked  
21 that her words be recorded into the record.

22 "Dear sirs, according to the most recent  
23 data from the State Department of Water Resources,  
24 California's population will rise from its current 32  
25 million people to 49 million by the year 2020.

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1 been assigned a range of costs. We all know that  
2 cost estimates for large-scale programs and  
3 facilities construction usually fall short of actual  
4 costs. Therefore, I think we can expect that the  
5 selected alternative will cost more than these rough  
6 estimates.

7 "Kern County water managers and the  
8 citizens and farmers they supply must be assured that  
9 they will be receiving the benefits they pay for from  
10 a CALFED solution and no more.

11 "In the past, water users have footed  
12 the bill, not just for water facilities construction  
13 and transportation and treatment costs, but also for  
14 nearly all of the environmental mitigation programs  
15 currently in place.

16 "In addition, water users have seen  
17 their available water supply dwindle due to  
18 environmental regulations, while costs have not been  
19 reduced at all. This is not right.

20 "The CALFED alternative selected must  
21 contain assurances that since the public of the state  
22 of California at large will benefit from the  
23 restoration of the Bay-Delta, the entire state should  
24 help to pay.

25 "We in Kern County are quite willing to

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1 "Kern County's population is forecast to  
2 nearly double in that same period, from 760,000 to  
3 1.3 million.

4 "The bottom line is that Californians  
5 and Kern County need more water. This is not just a  
6 need for drinking water, but also water to grow food  
7 and fiber. Water conservation, while it should be a  
8 part of the CALFED solution, alone cannot possibly  
9 make up the difference between what California's  
10 water-supply system can provide and what the state  
11 needs.

12 "Kern County is already one of the most  
13 water-efficient regions in the state. We are pleased  
14 to see a that a large-scale agricultural land  
15 retirement program as a means to reduce water demand  
16 is not a part of the draft EIR/EIS.

17 "We in Kern County are not interested in  
18 downsizing our economy, especially if our population  
19 is going to double.

20 "Everyone's livelihood depends on an  
21 abundant dependable water supply. CALFED must choose  
22 an alternative that balances the need to supply the  
23 state and our country with a reliable water supply  
24 while restoring the damaged Delta ecosystem.

25 "The three proposed alternatives have

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1 pay for our fair share. We are not willing, however,  
2 to continue to be the deep pocket for additional  
3 regulatory requirements our local economy cannot  
4 support.

5 Thank you.

6 MR. BODOVITZ: Thank you very much.

7 Stuart Pyle, followed by Dan Macon,  
8 followed by Pete Paira, Chairman of the Kern County  
9 Board of Supervisors.

10 Mr. Pyle.

11 MR. PYLE: I'm Stuart Pyle, member of  
12 BDAC, resident of Bakersfield, and consultant for  
13 Kern County Water Agency.

14 I'm very supportive of the CALFED  
15 Bay-Delta Program, and believe the staff has done a  
16 very good job on the report.

17 Here's several points for consideration  
18 in the EIS/EIR review:

19 The water-supply goals of the report  
20 should be more specific than to generally reduce  
21 conflicts and improve reliability. The water  
22 supplies of the major state and federal water  
23 projects diverted from the Delta have been reduced  
24 and limited by actions related to the Endangered  
25 Species Act.

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1           These actions and reallocations need to  
2 be identified in the report. There needs to be an  
3 accounting for such reallocations as well as planning  
4 for restoration of these supplies.

5           The extensive programs set forth in the  
6 report to restore the health of Delta aquatic  
7 habitats and wetlands will result in widespread  
8 public benefits.

9           Public financial support will be  
10 required for CALFED programs in the form of bonds and  
11 other payments. It will not be possible to fund  
12 these far-reaching programs by increased costs on  
13 water to be paid for by agricultural water users.

14           The CALFED report counts heavily on  
15 water conservation, reduced water demands, so that  
16 future water needs can be met. This is acceptable  
17 and necessary; however, I oppose proposals in the  
18 CALFED report that would impose regulatory  
19 requirements for mandatory water conservation.

20           Many water users, agriculture, and  
21 urban, have been involved in water-saving for years  
22 and have achieved high levels.

23           There's no existing base line to show  
24 current levels of water-use efficiency and where  
25 there's room for further achievements.

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1 possible and continue with adaptive management. The  
2 important issue is to get work started on a wide  
3 range of program elements with concurrent funding  
4 implementation.

5           All elements need to make progress  
6 together. The state will not benefit from setting up  
7 conditions in the form of assurances that hold back  
8 one element while work proceeds on another.

9           That's my statement.

10           MR. BODOVITZ: Thank you very much,  
11 Mr. Pyle.

12           Dan Macon, then Supervisor Paira, then  
13 Gene Lundquist of the Kern County Water Agency.

14           MR. MACON: Thank you. I attended last  
15 night's hearing in Burbank. And I figure if I make  
16 three or four more of these, I might actually get to  
17 address most of the document. So I appreciate being  
18 here tonight.

19           MR. BODOVITZ: Santa Cruz tomorrow.

20           MR. MACON: I want to start out by  
21 touching on an issue that was identified in the  
22 preview tonight, because it is very important to  
23 agriculture.

24           Agriculture is a resource that provides  
25 numerous values in California and in the U.S., and

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1           Attempts to apply the same level of  
2 required performance to all water users would be  
3 inequitable.

4           The CALFED program should rely on  
5 incentive programs and financial programs to gain  
6 greater water savings in both agricultural and urban  
7 use.

8           Regarding the alternatives: Alternative  
9 1 should be eliminated. It is only a continuation of  
10 today's unsatisfactory Delta situation. The report  
11 indicates that Alternative 3 is the best to improve  
12 water supply reliability, improve fish habitat and  
13 water quality for export purposes. However, it is  
14 subject to much regional opposition.

15           Much of the work required for  
16 Alternative 2 can be carried out as initial steps or  
17 stages towards improvements for through Delta flows  
18 or construction of an isolated channel for  
19 Alternative 3.

20           One of the important steps towards  
21 either of these is construction of the huge  
22 fish-drain complex to divert water from the  
23 Sacramento River to the internal Delta or the  
24 isolated facility.

25           This work should start as early as

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1 throughout the world. In addition to food and fiber,  
2 California agriculture provides habitat and supports  
3 the rural economies of this state. It's also a  
4 global resource that resulted in the export of over  
5 \$12 billion worth of goods in 1995, and produced  
6 about 300,000 jobs related to those exports. It is  
7 the reason that three of our ports are among the top  
8 ten busiest ports in the world.

9           I guess the bottom line from our  
10 standpoint is that retirement and conversion as ends  
11 to themselves do not make sense. And I appreciate  
12 the introduction, but if the issue is truly off the  
13 table, we would hope that it would be removed, any  
14 reference to mandatory land retirement would be  
15 removed from the final documents.

16           Programmatically, we would also ask that  
17 the CALFED agencies look at ways to address  
18 disincentives to creating habitat on economically  
19 viable farmland that are contained in the ESA and in  
20 other state and federal laws. We would also hope  
21 that the CALFED agencies would come up with some  
22 estimate not only of the land that is being discussed  
23 for conversion, but also of the water that would be  
24 converted to uses other than agriculture.

25           We believe very strongly that storage is

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1 a necessary component of the CALFED solution. If we  
2 are to provide more than 50 million Californians with  
3 both food and fiber and drinking water while  
4 enhancing the Delta environment, we're going to need  
5 to increase our storage capacity and yield.

6 With respect to water quality, we would  
7 suggest that CALFED not duplicate or supersede  
8 efforts currently underway. And specifically I'm  
9 talking about the management agency agreement that  
10 has been negotiated between the State Water Resources  
11 Control Board and the Department of Pesticide  
12 Regulation, and as well as the three-tiered  
13 approaches that have been addressing non-point source  
14 pollution as adopted by the State Water Resources  
15 Control Board.

16 Those efforts are cooperative efforts  
17 between the regulatory agencies and the stakeholders.  
18 And I fear that another layer of regulation may  
19 jeopardize that cooperation.

20 With respect to water use efficiency, I  
21 would hope that CALFED will continue to recognize the  
22 record of success that agricultural has demonstrated  
23 in their area.

24 We think that AB-3616 can build on that  
25 success, but I think we also need to keep in mind

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1 they might have for the people of Kern County. In  
2 particular, the board must discuss our need for a  
3 reliable water supply.  
4 "Kern County has suffered greatly with  
5 an irregular and deficient water supply over the past  
6 several years, especially during the 1987-'92  
7 drought.

8 "To us, a reliable supply is one where  
9 we receive our state water project and Central Valley  
10 project entitlements more often, not one where we  
11 receive less water more often.

12 "Since the end of the drought,  
13 California has been blessed with abundant  
14 precipitation. Water managers in Kern County have  
15 made pioneering efforts to stabilize our supplies by  
16 investing millions of local dollars in ground water  
17 recharge and banking programs.

18 These programs, which allow us to save  
19 water during wet periods, are later used during dry  
20 periods, are a tremendous asset to Kern County's  
21 economy.

22 The CALFED Bay-Delta Program has  
23 identified such conjunctive-use programs as one  
24 program-important factor in augmenting water  
25 supplies.

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1 that we will not change the amount of water that it  
2 takes to produce a given amount of bio mass; that  
3 there are limits there.

4 We would also suggest that other uses,  
5 including environmental uses of water, be held to the  
6 same standard for efficiency.

7 In closing, the solution principals that  
8 CALFED has set forth in its documents provide a  
9 challenge for us all to get better together.

10 We must find ways to encourage farmers  
11 and ranchers to continue to provide habitat and  
12 remain economically viable.

13 Thank you.

14 MR. BODOVITZ: Thank you, Mr. Macon.

15 Supervisor Paira, Gene Lundquist, then  
16 Fred Stark -- I hope I'm not mispronouncing that --  
17 of the Kern County Water Agency.

18 MR. PAIRA: Gentlemen, good evening.  
19 I'm Pete Paira, Chairman of the Kern County Board of  
20 Supervisors. I'm here to read a statement that I've  
21 been authorized by the Board of Supervisors to  
22 present to you this evening.

23 "As the CALFED process has developed its  
24 three alternatives, the Board of Supervisors have  
25 watched carefully to see what important implications

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1 Kern County's conjunctive-use programs  
2 could be used to provide benefits, not only to the  
3 citizens and farmers of Kern County, but also to  
4 water suppliers in other regions of the state by  
5 providing storage capacity and enabling water  
6 transfers.

7 With funding provided to us to increase  
8 capacity of these programs, they could also provide  
9 environmental benefits by freeing up water for  
10 in-stream flows for fish and wildlife during dry  
11 periods.

12 However, these programs will not work  
13 and will not be successful unless we are guaranteed  
14 that in wet years, water from the Bay-Delta system  
15 can be diverted, transported, and stored in such a  
16 manner that will be accessible to water users.

17 This means that the Delta solution must  
18 include a system of storage and conveyance  
19 improvements that allow us to move water more  
20 efficiently.

21 Only by improving California's water  
22 infrastructure, which has had no significant  
23 improvements in more than thirty years, will we  
24 simultaneously resolve our water needs and the  
25 problems of the Delta's ecosystem.

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1 I sincerely hope that the alternative  
2 CALFED -- that the alternative that CALFED selects  
3 will contain these components. It is vital for Kern  
4 County's economy, its job base, and its people, and  
5 for the wellbeing of all of California.

6 Thank you very much.

7 MR. BODOVITZ: Thank you very much,  
8 Supervisor.

9 Mr. Lundquist of the Kern County Water  
10 Agency, then Fred Stark. I'm sorry. It's a  
11 combination of my eyesight.

12 MR. STAR: It's Fred Star.

13 MR. BODOVITZ: Star. Okay. And then  
14 Robert Kunde of the Wheeler Ridge-Maricopa Water  
15 Storage District.

16 Thank you, sir.

17 MR. LUNDQUIST: My name is Gene  
18 Lundquist. I'm Vice President of the Kern County  
19 Water Agency Board of Directors.

20 CALFED has done a good job of  
21 identifying several alternatives for improving the  
22 Bay-Delta system. But the draft EIR does not address  
23 some of the factors that will affect the economy and  
24 the people of Kern County.

25 These factors include water use

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1 our efficiency and make do with what we currently  
2 have, while also discussing the retirement of  
3 productive ag lands, and making changes to the way we  
4 regulate our supplies.

5 These are not viable options if we  
6 maintain our status as the third most productive ag  
7 county in the state with over 2 billion in receipts  
8 each year.

9 Kern County economy is at stake along  
10 with the people it supports.

11 We are pleased that CALFED offers a  
12 long-term solution. We really do want a practical  
13 and successful solution to the Delta's problems.  
14 However, that solution must include assurances that  
15 all portions of the EIR/EIS are addressed equally.

16 We want to be certain that the CALFED  
17 program is not just a giant ecosystem restoration  
18 project that ends up hurting us rather than helping.

19 CALFED's management approach gives the  
20 involved stakeholders flexibility to achieve the  
21 program's objectives in the best possible manner.

22 We remain concerned, however, that the  
23 draft EIR/EIS does not adequately identify how this  
24 approach will actually work.

25 But to reiterate, and in closing,

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1 efficiency proposals that are intended to reduce both  
2 urban and ag demand.

3 Ag land retirement, increased water  
4 conservation at the levels identified in the draft  
5 document, and the proposed clearinghouse for water  
6 transfers would have devastating impacts on Kern  
7 County's economic base.

8 First, and in particular, whether it's  
9 the 70,000 acres proposed for Kern County, or seven  
10 acres of land -- ag land retirement, that would not  
11 work and is simply not acceptable.

12 Second, a 30 percent reduction in urban  
13 water use in Bakersfield or other urban areas in Kern  
14 County will not bring about the desired result in the  
15 Delta. We have a closed system, and that makes a  
16 difference.

17 Third, the proposed water transfer rules  
18 would create an unneeded bureaucracy and hamper  
19 efficient movement of water throughout the state.

20 Simply put, Kern County must have  
21 additional water supplies, not just reuse and  
22 reallocation of our current supplies.

23 Our local economy depends on  
24 agriculture, and our basin-wide efficiency is over 90  
25 percent. Yet, the draft EIR/EIS asks us to increase

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1 solutions will not be acceptable that include ag land  
2 retirement, drastically increased urban water  
3 conservation, or bureaucratic rules for water  
4 transfers.

5 Thank you very much.

6 MR. BODOVITZ: Thank you very much,  
7 Mr. Lundquist.

8 Mr. Star, then Robert Kunde, then Scott  
9 Hamilton of Paramount Farming Company.

10 MR. STAR: Fred Star. I'm the director  
11 on the Kern County Water Agency, and I'm also a  
12 farmer who uses -- most of our land in the state  
13 project; so we use that water almost exclusively.

14 My statement is as the director.

15 No matter which of the three CALFED  
16 alternatives shows as of the best for solving of the  
17 Bay-Delta system, Kern County water users must be  
18 assured that they are paying only for the benefits  
19 they receive from the project chosen. Our motto is  
20 "Pay for what you get."

21 Unreliability of water supply has become  
22 the norm here in Kern County, and we have had to pay  
23 the bill whether or not we receive the water.

24 No longer should payments be based on  
25 contractual entitlements with the state and federal

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1 water projects.

2 The funding for CALFED programs designed

3 to implement the preferred alternative must be based

4 on benefits to the various stakeholders.

5 We in Kern County are willing to pay our

6 fair share of the CALFED solution for solving the

7 Delta's problems based on the benefits we will

8 receive directly.

9 If increased supply requires off-stream

10 storage and other physical infrastructure, we will be

11 willing to pay for that, provided we are guaranteed

12 to receive the water.

13 We are also willing to pay for any other

14 programs that allow us to augment and re-regulate our

15 supplies most efficiently. However, since the

16 solution is likely to provide broad-based benefits to

17 all of California's interests, some portion of the

18 cost should be borne by the public at large.

19 Water users, whether agricultural or

20 urban, should not be expected to foot the whole bill.

21 Water use efficiency programs as

22 described in the CALFED Bay-Delta Program will not

23 solve the problems in the Bay-Delta. State

24 projections show that even with increased

25 conservation in the ag and urban sectors, there will

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1 Thank you.

2 MR. BODOVITZ: Thank you very much, sir.

3 Robert Kunde, then Scott Hamilton, and then Tom

4 DeGroot. I'm sorry, I can't read the name. It's a

5 co-op, but I can't read it.

6 So, Mr. Kunde.

7 MR. KUNDE: I broke it.

8 MR. BODOVITZ: I think it's okay.

9 MR. KUNDE: I'm Robert Kunde. I'm the

10 staff engineer with Wheeler Ridge-Maricopa Water

11 Storage District. Our water supply comes from the

12 Delta via the state water project.

13 Farmers within the district farm 175

14 square miles in southern Kern County and produce

15 fresh fruit and vegetables, nuts, and cotton, for

16 California citizens and the world.

17 CALFED's preferred alternative, whatever

18 it may be, will have a significant effect on the

19 district and its farmers. The significant measuring

20 stick for determining whether the district will

21 support the final alternative is, "Are we getting

22 better together?"

23 Item 1: In the fall 1994, the Monterey

24 accord led to the creation of CALFED.

25 As an interim measure of good faith, the

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1 still be a water supply shortfall of 1.4 million acre

2 feet a year by the year 2020.

3 CALFED is trying to re-regulate water

4 conservation measures into its solution for the

5 Bay-Delta without recognizing, then, many years of

6 environmental damage from sources other than water

7 projects that have been occurring, all during a time

8 of tremendous population growth.

9 Unless CALFED recognizes that well water

10 is needed for the future, the population of

11 California, the Delta's problems will not be solved.

12 Water users will continue to suffer financial

13 hardship, and the state's economy will suffer.

14 By the way, that will hinder the ability

15 of water users to pay for the CALFED program.

16 Just a couple of personal comments. I

17 would also subscribe to Stu Pyle's comments as far as

18 the alternatives pretty much in total; just add that

19 to the record.

20 I would also note that most of the users

21 of the state project water, by the time we get the

22 water on the land, it costs us \$10 an inch. So we're

23 not going to waste water at \$10 an inch.

24 And the last statement is: Remember the

25 motto, "Pay for what you get."

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1 state and federal contractors gave up 1.1 million

2 acre feet per year of dry-year yield. Therefore, the

3 district started off the process of getting better

4 together by getting worse.

5 Getting better together for the district

6 means restoration of this interim contribution of

7 water supply.

8 Item 2: In 1996, California's voters

9 approved Proposition 204 with the active support of

10 the district and other agricultural, urban, and

11 environmental interests.

12 The vast majority of the funding has

13 been for environmental improvements with virtually

14 nothing for agricultural water supply improvement.

15 Are we getting better together? Not the

16 district; not yet.

17 Item 3: In 1998, the CALFED EIR in its

18 phase 2 interim report evaluate the effects of

19 alternatives one, two and three on various resource

20 areas. In the water supply analysis for the state

21 and federal contractors in dry years, the no-storage

22 alternatives resulted in an increase of 1- to 200,000

23 acre feet per year over existing conditions and with

24 maximum storage conditions, 7- to 800,000 acre feet

25 per year increase over existing conditions.

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|---|---|
| <p>1 Existing conditions reflect the<br/>2 contribution of 1.1 million acre feet already<br/>3 mentioned.<br/>4 Are we getting better together?<br/>5 Depending on the level of storage, the<br/>6 state and federal contractors are 300 to 1 million<br/>7 acre feet worse off than we were prior to CALFED.<br/>8 This means that the district is worse<br/>9 off than it was prior to CALFED. CALFED turns the<br/>10 1.1 million acre feet interim contribution into a<br/>11 permanent water supply reduction.<br/>12 Is this getting better together? Not<br/>13 for the district.<br/>14 Our conclusion is that the only way for<br/>15 the district to get better together, along with the<br/>16 other water users in the CALFED process, is for there<br/>17 to be substantial water storage facilities as part of<br/>18 the CALFED preferred alternative.<br/>19 Thank you.<br/>20 MR. BODOVITZ: Thank you very much.<br/>21 Scott Hamilton, then Tom DeGroot, then<br/>22 David Sozinho of the Greater Bakersfield Chamber of<br/>23 Commerce.<br/>24 MR. HAMILTON: My name is Scott<br/>25 Hamilton. I'm the resource Planning Manager with</p> <p>PORTALE &amp; ASSOCIATES (209) 462-3377 53</p>                         | <p>1 option to comment on that preferred alternative.<br/>2 Issuing such a draft will help focus<br/>3 attention and define a solution.<br/>4 In that proposal, the interests of the<br/>5 stakeholders should be addressed specifically from<br/>6 the agricultural perspective; that means replacing<br/>7 yield that has been redirected for environmental<br/>8 purposes, and improving water supply reliability.<br/>9 The CALFED process is complicated<br/>10 enough, and the task before you is formidable. We do<br/>11 not believe that you should become distracted in<br/>12 activities that can be addressed by others.<br/>13 Among these are conservation and water<br/>14 transfers.<br/>15 Water transfers already are a valuable<br/>16 tool in California's water future, and hold much<br/>17 promise.<br/>18 Conservation which has provided enormous<br/>19 benefits to date will continue as noted in your own<br/>20 EIR.<br/>21 Together these two management tools will<br/>22 result in more efficient use of our water resources.<br/>23 However, development of these management tools should<br/>24 not be CALFED's responsibility. And CALFED has no<br/>25 comparative advantage in those areas. We encourage</p> <p>PORTALE &amp; ASSOCIATES (209) 462-3377 55</p> |
| <p>1 Paramount Farming Company.<br/>2 By way of qualifications, I have a Ph.D.<br/>3 in resource economics and serve as the director on<br/>4 various water districts.<br/>5 We are concerned that you do not lose<br/>6 sight of your original objectives. The real issue<br/>7 here is to develop a solution that considers<br/>8 California needs for the next hundred years. This<br/>9 solution requires keeping the stakeholders at the<br/>10 table, and that those stakeholders get better<br/>11 together.<br/>12 The environmentalists' decision to<br/>13 decline the invitation to participate with ag and<br/>14 urban interests to develop a stakeholder position is<br/>15 disappointing.<br/>16 Your consideration of the ag open<br/>17 positions would encourage the environmentalists to<br/>18 become involved in meaningful dialog.<br/>19 The final solution will be a difficult<br/>20 compromise. It is difficult to comment on an EIR<br/>21 that does not have a preferred alternative.<br/>22 From that perspective, the EIR is<br/>23 deficient.<br/>24 Please consider issuing another draft<br/>25 with a single preferred alternative. We need the</p> <p>PORTALE &amp; ASSOCIATES (209) 462-3377 54</p> | <p>1 you to stay focused on the Delta problems<br/>2 specifically.<br/>3 We appreciate the hard work and<br/>4 dedication that CALFED staff and leaders have<br/>5 contributed to this process. We wish you good luck<br/>6 through the maze of difficulties that lie ahead.<br/>7 We encourage you to listen to the<br/>8 stakeholders who are also working diligently to<br/>9 provide constructive input in this process.<br/>10 Thank you.<br/>11 MR. BODOVITZ: Thank you very much,<br/>12 Mr. Hamilton.<br/>13 Tom DeGroot, then David Sozinho, then<br/>14 William A. Talibe of Wheeler Ridge-Maricopa Water<br/>15 Storage District.<br/>16 MR. DeGROOT: Thank you for considering<br/>17 these facts.<br/>18 In its best year, the system delivered 7<br/>19 million acre feet. Current law calls for cuts to 3<br/>20 million acre feet, although the project can and<br/>21 should deliver 10 million acre feet according to<br/>22 Jason Peltiere.<br/>23 Who wrote these anti-agricultural laws?<br/>24 Communists, according to this book, set up and sold<br/>25 out. What this book does not tell you is, these are</p> <p>PORTALE &amp; ASSOCIATES (209) 462-3377 56</p>   |

1 the same people that threw the cultural revolution in  
2 China and Cambodia, caused ethnic strife and armed  
3 tribes in Africa, and pulled the agricultural inputs  
4 from North Korean farmers to motivate them to march  
5 south.

6           Underground water has far higher salts  
7 than surface water. 1982/'83 we had far more rain,  
8 yet, flood damages were far less, because the  
9 reservoirs were at 10 to 15 percent full, rather than  
10 40 percent full, as was the case last year and this  
11 year.

12           Unnecessary flood damages without firing  
13 a single shot. HR-5099 will devastate the  
14 underground water supplies and ruin agricultural, the  
15 economy and the tax base. It must be ignored and  
16 thrown out.

17           If fish are so vital, why do we allow  
18 foreign fishing fleets to scoop them up by the ton,  
19 violating international fishing laws?

20           The oceans are rising. Is it logical to  
21 waste millions of acres of feet of water accelerating  
22 the refugee problem of hundreds of millions of people  
23 due to rising oceans in a few decades?

24           California agriculture can save one  
25 billion gallons of fuel per year by using surface

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1 that others seek to deprive our area, our businesses,  
2 and our people, of the promised benefits of CALFED.

3           We were supposed to, after all, "Get  
4 better together."

5           Our concerns, these: One, CALFED must  
6 be dedicated to water supply improvements to sustain  
7 and nourish our local economy. Our local economy is  
8 highly dependent on adequate water supplies, and the  
9 promise of improved supplies is a key to our  
10 endorsement of any of your proposals.

11           Two: Your program must give adequate  
12 assurances to our area, our businesses, and our  
13 people that it will result in water supply  
14 improvements, if you hope to achieve our support.

15           Water conservation alone will not solve  
16 the problem. Our growers already are among the most  
17 efficient water users in the world. Conservation  
18 should not be misused to mean putting water users out  
19 of business.

20           And lastly, large-scale retirement of  
21 agricultural land will not solve California's water  
22 problems. It would harm the economy of our area, and  
23 violates the key principal that all parties should  
24 get better together.

25           Thank you for considering our views.

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1 water rather than continuing to overdraft the  
2 underground.

3           We need to get off this suicidal course  
4 of overdrafting the underground water supply, its  
5 constant subsidence. When the land falls, the oceans  
6 rise.

7           There's about 500 million people's lives  
8 at stake, why utilization of surface water in  
9 California will result in a healthier agricultural  
10 economy with a future, lower-priced food, and cleaner  
11 air.

12           Thank you.

13           MR. BODOVITZ: Thank you, Mr. DeGroot.

14           David Sozinho, William A. Talibe, and  
15 Will Boschman of Semitropic Water Storage District.

16           MR. SOZINHO: Hello. My name is David  
17 Sozinho. I am here on behalf of the Greater  
18 Bakersfield Chamber of Commerce, representing 1500  
19 member businesses who provide goods and services for  
20 more than 300,000 people in the greater Bakersfield  
21 metropolitan area.

22           Our chamber has been a supporter of  
23 Proposition 204 and the continuing effort to find a  
24 win/win solution for California's water problems.

25           Recent events have caused us concern

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1           MR. BODOVITZ: Thank you, sir.

2           Mr. Talibe, Will Boschman, and Adrienne  
3 Mathews, Director of the Kern County Water Agency.

4           MR. TALIBE: Thank you. I'm William  
5 Talibe, engineer manager of Wheeler Ridge-Maricopa  
6 Water Storage District.

7           Throughout the CALFED and BDAC process,  
8 the issue of water use efficiency has been addressed  
9 in a number of different forums. This is as it  
10 should be, since water is a precious and vital  
11 resource in the state of California.

12           It is a resource which is too valuable  
13 to be wasted on any use or for any purpose. It is so  
14 vital, in fact, that the people of the state of  
15 California have included in the state's constitution  
16 a prohibition on the waste and unreasonable use of  
17 this resource.

18           In creating this prohibition on waste  
19 and unreasonable use, the people did not limit the  
20 scope of its applicability to specific purposes, but  
21 rather, applied such restriction broadly to all uses  
22 of water.

23           CALFED and BDAC process is focused on a  
24 number of conservation measures for urban and  
25 agricultural water users. Urban water users have

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1 developed a set of best-management practices  
2 identifying fourteen important measures for  
3 management of urban water resources.  
4 Similarly, pursuant to AB-3616,  
5 efficient water management practices for agricultural  
6 water supplies in California have been developed  
7 which establish a broad and comprehensive set of  
8 seventeen separate measures to be implemented by  
9 agricultural water suppliers.

10 But for all of its effort, the CALFED  
11 and BDAC process has failed to address potentially  
12 the largest source of water available for  
13 conservation.

14 Water that is used to support the  
15 environment is the largest untapped source to which  
16 additional conservation efforts should be directed.

17 If the efficiency of the use of this  
18 resource could be increased by only 5 percent, it  
19 would provide huge quantities of new water which  
20 would be available for a variety of uses, including  
21 additional environmental purposes.

22 Establishing standards and criteria  
23 against which to measure the efficiency of  
24 environmental water use will not be an easy task, but  
25 there is simply too much at stake to continue to

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1 District. It's located in the center of the San  
2 Joaquin Valley and northern Kern County. I  
3 appreciate the opportunity to submit comments.  
4 Semitropic considers its ground water  
5 supply an extremely valuable resource. Even though  
6 essentially no new land has been developed for  
7 agricultural purposes over the past twenty years,  
8 ground water overdraft continues to be a concern.

9 We have found that maximizing use of  
10 surface water in lieu of pumping ground water is the  
11 most effective and efficient means of correcting  
12 overdraft.

13 We believe that as part of the  
14 assurances in the concept of getting better together,  
15 the CALFED package should include the ability to  
16 transfer water through the Delta with limited  
17 restrictions, particularly in wet years, when less  
18 expensive supplemental water could be used for  
19 overdraft correction and ground water storage.

20 We also believe that surface water as  
21 well as ground water storage south of the Delta  
22 should be a significant part of the water supply  
23 solutions.

24 Semitropic has developed a 1  
25 million-acre-foot ground water storage program,

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1 ignore the importance of establishing such measures.  
2 In fact, the fact that an undertaking  
3 may be difficult should not deter us from pursuing a  
4 solution.

5 In order to conform to the solution  
6 principals of CALFED, an environmental water use  
7 efficiency program is essential. In developing this  
8 program, CALFED must continue the steps that it can  
9 take to eliminate wasteful uses of water for  
10 environmental purposes, and capture the substantial  
11 quantities of water which can be made available from  
12 this resource.

13 We can no longer afford to continue the  
14 wasteful practice of the past, and throw water and  
15 environmental problems in the Delta and elsewhere  
16 with the hope that meaningful solutions will result.  
17 We cannot afford it, and the Constitution of the  
18 state of California forbids it.

19 Thank you.

20 MR. BODOVITZ: Thank you, Mr. Talibe.

21 Will Boschman, followed by Adrienne  
22 Mathews, followed by Phil Nixon of the Lost Hills  
23 Water District.

24 MR. BOSCHMAN: My name is Will Boschman.  
25 I'm the manager of the Semitropic Water Storage

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1 which, to date, has not been fully committed.  
2 Approximately 200,000 acre feet of storage is still  
3 available.

4 Although we have had some indirect  
5 discussion with interested third parties representing  
6 CALFED, we have not had a contact with the CALFED  
7 staff directly regarding ground water storage  
8 potential.

9 We believe that the Semitropic program  
10 and other similar programs throughout the valley  
11 should be more thoroughly reviewed and considered in  
12 the EIR process.

13 Semitropic has offered its program to  
14 secure dry-year water supplies for the benefit of not  
15 only urban and agricultural uses, but also to  
16 mitigate for adverse impacts when water is used in  
17 the Delta for environmental purposes.

18 In considering the financial aspects of  
19 a Delta solution, we are also concerned that the  
20 water users will be asked to pay for all costs,  
21 including water that is developed for environmental  
22 purposes. We believe that water users should only  
23 pay for what they get and the cost for developing  
24 water; for environmental enhancement, should be borne  
25 by taxpayers in general.

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1 I thank you.  
 2 MR. BODOVITZ: Thank you, Mr. Boschman.  
 3 Adrienne Mathews, then Phil Nixon, then  
 4 Bill Miller.  
 5 MS. MATHEWS: My name is Adrienne  
 6 Mathews. I'm the Director of the Kern County Water  
 7 Agency.  
 8 And I would like to address the issue of  
 9 costs. An approximate range of costs has been  
 10 estimated for each alternative, depending on which  
 11 components of each alternative are implemented. The  
 12 total range of costs for the three alternatives is  
 13 about 6 billion to about \$12 billion.  
 14 Just the common program or all of the  
 15 alternatives such as water use efficiency, water  
 16 quality, and levee protection are estimated to cost  
 17 approximately \$4 billion.  
 18 We all know that cost estimates for  
 19 large-scale programs and facilities construction  
 20 usually fall far short of actual cost. Therefore, I  
 21 think we can expect that any of the options chosen  
 22 will cost more than these rough estimates.  
 23 Who will pay for these programs?  
 24 Water users have been footing the bill,  
 25 not just for water facilities construction and

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1 We need to find an affordable way to fix  
 2 the Delta no matter which alternative is selected,  
 3 and that all interests pay their fair share so that  
 4 it can supply all of our needs while improving the  
 5 ecosystem.  
 6 Thank you.  
 7 MR. BODOVITZ: Thank you, Miss Mathews.  
 8 Phil Nixon, Bill Miller and Richard  
 9 Moss.  
 10 MR. NIXON: Good evening. My name is  
 11 Phil Nixon. I'm the manager of the Lost Hills Water  
 12 District.  
 13 Lost Hills Water District is located on  
 14 of the west side of Kern County, and 100 percent of  
 15 the district's water supply comes from the state  
 16 water project.  
 17 Lost Hills Water District is an  
 18 agricultural water district. The farmers in our  
 19 district produce a wide variety of crops.  
 20 From a global or a big picture point of  
 21 view, there are four points that I would like to make  
 22 regarding the draft environmental document.  
 23 First, the CALFED package must include  
 24 balanced programs that meet water supply needs, water  
 25 quality objectives, and ecosystem restoration in the

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1 transportation and treatment cost, but also for  
 2 nearly all of the environmental mitigation programs  
 3 currently in place.  
 4 In addition, water users have already  
 5 seen their available water supply reduced due to  
 6 environmental regulations, while costs seem to  
 7 escalate.  
 8 This is not right.  
 9 I would like to see the preferred  
 10 alternative for a Delta solution contain provisions  
 11 for short-term pay-as-you-go programs. That way, the  
 12 benefits of various programs could be easily  
 13 assessed, making it simpler to decide which are  
 14 working and which aren't. The short-term programs  
 15 would be more affordable.  
 16 While some of the more expensive  
 17 long-term options will need to be part of the Delta  
 18 solution, they shouldn't be considered the only  
 19 options.  
 20 The bottom line is that Californians  
 21 need more water. The population of California  
 22 continues to increase, and so will the need for not  
 23 just their drinking water, but for water to grow  
 24 their food and fiber. Everyone's livelihood depends  
 25 on an abundant, reliable supply of water.

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1 Bay-Delta.  
 2 Second, it's critical that improvements  
 3 be staged so that all stakeholders get better  
 4 together.  
 5 Third, it's critical that CALFED  
 6 solutions be economically feasible for all parties.  
 7 And fourth, funding of the CALFED  
 8 solution must be based on payments for benefits  
 9 received.  
 10 Simply put, "Pay for what you get."  
 11 It's important to note that while the  
 12 state's population and demand for food and fiber  
 13 continues to grow, development of significant  
 14 additional water supplies has not taken place.  
 15 But even worse than that, the  
 16 reliability of the state and federal projects is  
 17 diminished. The state and federal projects have been  
 18 significantly impacted by endangered species, even  
 19 though many of the Bay-Delta's problems have little  
 20 or nothing to do with water diversions.  
 21 Two other areas that I want to comment  
 22 on are, water management and land retirement.  
 23 I think most everyone agrees that water  
 24 management is every water user's responsibility.  
 25 It's important that urban, agricultural, and

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1 environmental water management take place.  
2 Generally, I think, CALFED  
3 underestimates agriculture's current water use  
4 efficiency, and overestimates potential savings from  
5 agricultural water management.  
6 I'm concerned that the water  
7 conservation estimates in the draft environmental  
8 impact document do not realistically -- are not  
9 realistic given today's technology.  
10 In our district, water costs are high,  
11 and the cost of water is a significant part of each  
12 farmer's budget. In order to compete and, indeed, to  
13 stay in business, farmers of Lost Hills Water  
14 District utilize state-of-the-art technologies to  
15 irrigate their crops.  
16 Similar efforts are needed for  
17 environmental water use.  
18 In conclusion, I recognize land  
19 retirement is not included as a component in the  
20 draft environmental document, but I expect CALFED  
21 will receive requests to include it.  
22 I have to acknowledge that "land  
23 retirement" is a catchy phrase. People usually think  
24 of retirement positively. Most people look forward  
25 to retiring from their jobs and enjoying the golden

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1 and general manager of the North of the River  
2 Municipal Water District.  
3 I want to say that we support the  
4 alternatives or a combination of alternatives that  
5 provide benefits to the most of the California's  
6 water needs. Benefits for water quality, water  
7 supply reliability, environmental water, and water  
8 for future growth.  
9 This will require new -- in addition to  
10 improving our practices for use of our current  
11 water -- new facilities for new water.  
12 Water conservation is a very worthwhile  
13 endeavor, but it's not an infinite source of  
14 additional water for any use.  
15 Currently, we have an unprecedented  
16 effort on the part of agricultural and urban  
17 interests to come up with ways to accomplish these  
18 water quality, water supply, environmental protection  
19 aspects of the Delta solution, and pay for it.  
20 But if we don't have additional water  
21 supply reliability and additional water supply out of  
22 CALFED package, it's not going to work. It's not  
23 going to happen.  
24 We need to take advantage of this  
25 opportunity to put together a program that benefits

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1 years. But let's not kid ourselves. Land retirement  
2 is really all about putting farmers out of business.  
3 Land retirement should not be part of CALFED.  
4 MR. BODOVITZ: Thank you Mr. Nixon.  
5 This takes us about halfway through the  
6 cards we've got. So let's take a ten-minute break,  
7 and then we'll do the second half.  
8 (Break.)  
9 MR. BODOVITZ: Once again, if you wish  
10 to speak tonight, it is necessary to fill out one of  
11 these yellow cards on the table at the back.  
12 If those of you in the back would take  
13 your seats, please. In any event, cease the  
14 conversation so we can hear the speakers.  
15 Our first speaker in this half will be  
16 Bill Miller. I'm sorry, Mr. Miller, I just cut you  
17 off. You were ready to go, and I stopped you.  
18 Then Richard Moss of the Friant Water  
19 Users Authority, and then Ernest Conant.  
20 So we're fresh, at least, to hear your  
21 testimony.  
22 MR. MILLER: Thank you. I hope I can  
23 remember enough.  
24 My name is Bill Miller. I'm board  
25 president of Bear Valley Community Services District,

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1 all of California, and that means a program that also  
2 provides a water supply for a growing state.  
3 I also wanted to mention that in the  
4 water use efficiency component, there is a reference  
5 to a California Water Agency environmental water  
6 caucus effort on urban water conservation proposals.  
7 I wanted to say that they are not a  
8 broad-based stakeholder effort, and I don't think  
9 it's appropriate that their effort be included or  
10 given any kind of blessing by implication or  
11 inference by being included in the document.  
12 There is another effort underway  
13 statewide with large and water urban water agencies  
14 throughout the state where we're looking to either  
15 work with them to make it a more practical and  
16 implementable, in our view, program, or have an  
17 alternative proposal of our own.  
18 Our proposal would have more emphasis on  
19 technical and financial assistance for water  
20 conservation efforts before punitive actions are  
21 taken. And the certification criteria should be  
22 objective and simple to administer.  
23 And, lastly, I would like to mention  
24 that I didn't see anywhere in the EIR/EIS anything  
25 about the salt-loading possibilities.

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|   |  |
|---|--|
| <p>1           What are the long-term environmental</p> <p>2 impacts of ag and urban irrigation practices, the</p> <p>3 accumulation of salts in the root zone?</p> <p>4           As we slowly turn around the shift of</p> <p>5 irrigation practices, what will we find ourselves</p> <p>6 within one or two generations? Urban and</p> <p>7 agricultural soil so poisoned with salts that they</p> <p>8 won't grow anything, like the San Joaquin salt bowl?</p> <p>9 We don't know.</p> <p>10          We need to know this. We are so --</p> <p>11 there's so many people in the world now, you can't</p> <p>12 push down over here, and something comes up over</p> <p>13 here. We need to know what the potential impacts, if</p> <p>14 any, of salt-loading are for urban agricultural</p> <p>15 users, and how we could mitigate those impacts.</p> <p>16          Thank you.</p> <p>17          MR. BODOVITZ: Thank you very much,</p> <p>18 Mr. Miller.</p> <p>19          Richard Moss, then Ernest Conant, then</p> <p>20 John Rachford of the Kings County Board of</p> <p>21 Supervisors.</p> <p>22          Mr. Moss.</p> <p>23          MR. MOSS: Good evening. I appreciate</p> <p>24 you coming to Bakersfield, the southern end of the</p> <p>25 Friant division service area. The other day, you</p> <p style="text-align: right;">73</p> <p style="text-align: right;">PORTALE &amp; ASSOCIATES (209) 462-3377</p>  | <p>1           You have done an excellent job of trying</p> <p>2 to differentiate between real water savings and</p> <p>3 applied water savings, and so note in your document</p> <p>4 that there's virtually nothing to be conserved from</p> <p>5 agriculture here in the San Joaquin Valley in terms</p> <p>6 of new water that could be used for other purposes.</p> <p>7           I'm sure that you'll receive a lot of</p> <p>8 flack on this notion from those soft-path proponents</p> <p>9 who would argue that if only ag would conserve 5</p> <p>10 percent or 10 percent, all of the problems would be</p> <p>11 solved. In fact, you heard some of that early on</p> <p>12 tonight.</p> <p>13          Ag water conservation will not yield any</p> <p>14 new water from within our region. It can have water</p> <p>15 quality benefits and a few production benefits as</p> <p>16 well as improved crop production benefits, but it</p> <p>17 won't help bring supplies into alignment with</p> <p>18 existing, much less, future demand.</p> <p>19          Let me address the ag water conservation</p> <p>20 plan criteria elements. As a federal CVP contractor,</p> <p>21 my agencies have been in the process of developing</p> <p>22 and having reviewed and approved the water</p> <p>23 conservation plans under criteria created and</p> <p>24 proposed by the CVPIA.</p> <p>25          Randy, if I could ask you to put up an</p> <p style="text-align: right;">75</p> <p style="text-align: right;">PORTALE &amp; ASSOCIATES (209) 462-3377</p> |
| <p>1 were in Fresno, and about the middle third of our</p> <p>2 service area.</p> <p>3          My name is Richard Moss. I'm the</p> <p>4 general manager of the Friant Water Users Authority.</p> <p>5 I'm here representing our twenty-five member</p> <p>6 agencies, serving some one million acres of the</p> <p>7 world's most productive farmland in Madera, Fresno,</p> <p>8 Tulare, and Kern Counties.</p> <p>9          Once again, let me acknowledge the</p> <p>10 tremendous job that the CALFED staff has done in</p> <p>11 wheedling down a huge array of issues into a</p> <p>12 manageable set of alternatives the public can now get</p> <p>13 their arms around.</p> <p>14          Last week in Fresno, I focused my</p> <p>15 comments on three major points: The need for the</p> <p>16 CALFED solution to result in real water, new water</p> <p>17 supplies, the need for the CALFED solution to result</p> <p>18 in affordable water supplies for agriculture here in</p> <p>19 the San Joaquin Valley, and the need for flexibility</p> <p>20 in the CALFED solution. Select the alternative that</p> <p>21 provides the greatest flexibility, in our view,</p> <p>22 Alternative 3.</p> <p>23          Tonight I wanted to focus my remarks on</p> <p>24 the agricultural water conservation or water</p> <p>25 management element of the CALFED alternatives.</p> <p style="text-align: right;">74</p> <p style="text-align: right;">PORTALE &amp; ASSOCIATES (209) 462-3377</p> | <p>1 overhead.</p> <p>2          This is a visual depiction of the</p> <p>3 process that is used in approving USBR water</p> <p>4 conservation plans. The difficulty you will have is</p> <p>5 figuring out where to start, and then knowing when</p> <p>6 you're done.</p> <p>7          It's no wonder that this process has</p> <p>8 taken on the average about five years for our</p> <p>9 districts to get water conservation plans approved.</p> <p>10 You can clearly get caught in never-ending "do"</p> <p>11 loops.</p> <p>12          Nonetheless, our districts have</p> <p>13 persevered, and now virtually all of them have</p> <p>14 bureau-approved water conservation plans.</p> <p>15          You can understand the reluctance to now</p> <p>16 have to run the unknown gauntlet of approval by</p> <p>17 submitting their plans to the Agricultural Water</p> <p>18 Management Council under AB-3616 process. They just</p> <p>19 won't do it.</p> <p>20          Yet, as currently proposed in the CALFED</p> <p>21 documents, CALFED appears unwilling to accept the</p> <p>22 bureau-required plans as having provided the</p> <p>23 assurances the federal districts are doing a good job</p> <p>24 of managing their water.</p> <p>25          Further, while requiring ag water</p> <p style="text-align: right;">76</p> <p style="text-align: right;">PORTALE &amp; ASSOCIATES (209) 462-3377</p>  |

1 conservation -- ag water users to file AB-3616 plans,  
2 you appear to still want to use some of the bureau  
3 criteria relative to water pricing and measuring  
4 devices.

5 Let me suggest that you be willing to  
6 accept plans developed under either criteria. They  
7 are very compatible, and comparable, and virtually  
8 identical in most the alternatives.

9 MR. BODOVITZ: Mr. Moss, I hate to make  
10 you come to two hearings and still not get through,  
11 but your time is up.

12 MR. MOSS: Now I'm off to Alpaugh and on  
13 to Arvin/Edison. Next, I'll be on to -- really,  
14 thank you very much for hearing me twice. Please  
15 take note of all the people that are here in  
16 attendance in Bakersfield and Fresno, your biggest  
17 turnouts. And we appreciate you coming here.

18 Thank you.

19 MR. BODOVITZ: Yes, sir. Thank you very  
20 much.

21 Ernest Conant, then Joe Rachford,  
22 Supervisor Rachford; then Brent Graham of Tulare Lake  
23 Basin Water Storage District.

24 Mr. Conant.

25 MR. CONANT: Good evening. My name is

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1 additional water for refugees and trinity flows.  
2 Then, lastly, in 1995, we had the  
3 Bay-Delta accord, the interim solution that you've  
4 heard about, a loss of 1.1 million acre feet in a  
5 critically dry year to the CVP and the state water  
6 project.

7 I would submit that that's not getting  
8 better together.

9 It's time that the federal and state  
10 governments live up to their promises. CALFED is  
11 made up of the state of California and this United  
12 States of America. And it's the opportunity of the  
13 two governmental agencies and their various  
14 subdivisions to show how we're going to get better  
15 together, and provide a balanced approach, wherein  
16 they can meet their contractual obligations to the  
17 people of not only this valley, but the balance of  
18 the state of California.

19 And that cannot be met by simply further  
20 impacts to local economies through land fallowing.  
21 It can't be met through imposing unrealistic water  
22 conservation objectives. And it can't be met by  
23 proposing additional burdens on water transfers.

24 Furthermore, we need to keep in mind  
25 that the beneficiaries, the solutions that CALFED is

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1 Ernest Conant. I'm with the Young Wooldridge law  
2 firm. And we represent a number of CVP contractors  
3 and SWP subcontractors of the Kern County Water  
4 Agency. And I won't identify them all tonight.

5 Tonight I want to take a little  
6 different tack than what you've heard already, and  
7 that is that in developing a balanced approach, one  
8 of the objectives of CALFED, I think one of the  
9 things you must keep in mind is a historical  
10 perspective of the development of the CVP in the  
11 state water project.

12 Contracts were entered into several  
13 decades ago based on representations of the United  
14 States and the state of California. And then, piece  
15 by piece, these representations have been undermined.

16 First, in 1978, we had Decision 1485,  
17 and we lost a half a million acre feet for the state  
18 water project.

19 Then, in the early '80s, we had the  
20 Delta transfer facility and the river development  
21 taken off the table, a loss of approximately a  
22 million acre feet to the SWP.

23 Then, in 1992, we had the CVPIA, a loss  
24 of about 1.2 million acre feet to the CVP, that being  
25 800,000 acre feet that we all hear about, plus

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1 looking at, are much broader than the water users, be  
2 they urban or agriculture. One of the biggest  
3 beneficiaries, of course, is going to be the  
4 environment.

5 To the extent the environment is a  
6 beneficiary, that is appropriately an area that  
7 should be funded by the taxpayers as a whole.

8 So that concludes my comments. And I  
9 would urge you in developing your solutions to keep  
10 in mind the historical perspective of the United  
11 States and the state of California not meeting their  
12 contractual obligations.

13 Thank you.

14 MR. BODOVITZ: Thank you very much,  
15 Mr. Conant.

16 Supervisor Rachford, followed by Brent  
17 Graham, followed by Joan Schraff for Senator Costa.

18 MR. RACHFORD: I'll have to improve on  
19 my writing. My name is John Rachford. I'm a civil  
20 engineer with over thirty years' experience in  
21 water-related matters in the Tulare Lake area. And  
22 I'm currently a member of the Kings County Board of  
23 Supervisors, representing the southern part of Kings  
24 County.

25 We support the CALFED process and urge

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1 the adoption of the resolution that is beneficial to  
2 business, agriculture, and the environment.

3 But in any analysis, one must also  
4 consider the benefits and enhancements to the  
5 ecosystem and recreation that the development of the  
6 current water system has given our state.

7 The man-made storage and conveyance  
8 facilities provide thousands of recreational days,  
9 and are now considered a part of the state fisheries.

10 Also, please be careful in mandated  
11 programs directed toward water efficiency. In 1980,  
12 Ronald Roby, then Director of the Department of Water  
13 Resources, conducted a water use efficiency study in  
14 the Tulare Lake Basin Water Storage District.

15 The findings published in DWR Document  
16 B-68-80 were that the area was 98 percent efficient  
17 in the application of water based on the consumptive  
18 use of crops, which were primarily cotton, small  
19 grains, and other row crops. I know of no other area  
20 in the state as efficient.

21 Since water efficiency is so difficult  
22 to quantify, the easy bureaucratic resolution may be  
23 to take land out of production.

24 This is not a solution, but a penalty to  
25 agriculture. This would wreak havoc in Kings County,

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1 District. And I appreciate having the second bite of  
2 the apple after being in Fresno, and appreciate  
3 Mr. Breitenbach and Mr. Potter rushing down here to  
4 listen to my comments again.

5 I wanted to say again, be sure that we  
6 have in the record that our district is committed and  
7 supports the CALFED Bay-Delta process, which is going  
8 to provide a better environment and ecosystem  
9 restoration in the Delta as well as much-needed water  
10 supplies for ag and urban throughout most of the  
11 state.

12 As I mentioned before, that we are off  
13 to a good start on funding. Prop 204 that was passed  
14 by the voters gave us a good amount of money to start  
15 the process, and as somebody mentioned earlier, we  
16 have \$85 million from the feds this past year, \$143  
17 million in the budget this year. And that is  
18 certainly going to help us on this road to getting a  
19 balanced fix in the Delta.

20 I would like to once again just tonight  
21 focus on the water use efficiency. Last meeting in  
22 Fresno, we talked about the AB-3616 process, which by  
23 the way, ag started before water use efficiency or  
24 CALFED was a gleam in Lester Snow's eye.

25 So ag has been committed to this process

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1 which on a per capita, or on an area basis, depends  
2 more heavily on agriculture than any other county in  
3 the valley.

4 For example, to support my comment on  
5 Kings County heavy dependence on agriculture, 61  
6 percent of Kings County is in the Williamson Act,  
7 while the neighboring counties, percentages are as  
8 follows: Tulare County, 34 percent; Fresno, 40; and  
9 Kern County, 31 percent.

10 Kings County is dependent on the state  
11 and federal water systems to maintain its viability.  
12 We support an improved cross-Delta transfer facility,  
13 coupled with increased storage facilities to increase  
14 the state and federal project yield. One without the  
15 other is not satisfactory.

16 Increased storage facilities even out  
17 the annual distribution of water and alleviate the  
18 problems caused by flood and drought.

19 Thank you, sir.

20 MR. BODOVITZ: Thank you very much,  
21 Supervisor, for coming. Thank you.

22 Brent Graham, Joan Schraff, and Les  
23 Clark.

24 MR. GRAHAM: My name is Brent Graham,  
25 general manager of Tulare Lake Basin Water Storage

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1 for quite a few years. We see now that CALFED is  
2 looking at this, but in the aspect of it being  
3 mandatory, is really sending a chill through the  
4 entire process.

5 Those of us that were in on it at the  
6 beginning of this have gone out to sell this process  
7 to the ag sector. In order for us to show the  
8 efficiency that ag has been doing and the efficiency  
9 that we may be able to do, going through the  
10 cost-benefit analysis, that it is voluntary.

11 I think on something like this to be  
12 statewide, there's a lot of ag people that are  
13 looking at this, ag suppliers, that it continues to  
14 be voluntary.

15 We think if that is lost by making it  
16 mandatory, or get legislation to create a hammer,  
17 that we're going to lose a lot of the cohesiveness  
18 that we have among the ag suppliers to provide this  
19 water efficiency picture that we want to get out to  
20 the general public.

21 I'm excited about it because I think it  
22 will show in documentation how efficient ag is in  
23 this application of water. We've had many years of  
24 regulatory aspects come down upon us. I think this  
25 has driven ag to be just as efficient as they can.

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1 And to say there's another 2 percent, 5 percent, or  
2 10 percent out there, I think, is going to show  
3 through the documentation of the AB-3616 process,  
4 that it just ain't there.

5 Thank you.

6 MR. BODOVITZ: Thank you, Mr. Graham.  
7 Joan Schraff, followed by Les Clark,  
8 followed by Harvey Campbell.

9 MS. SCHRAFF: Good evening. I have some  
10 testimony from Senator Jim Costa.

11 "Resolving the conflicts surrounding the  
12 San Francisco Bay, Sacramento, San Joaquin Delta is  
13 one of the most daunting tasks faced by the state in  
14 many years.

15 "To be successful, we must insist on a  
16 balanced approach, avoid setting goals that we can  
17 never realize, and must keep in mind the importance  
18 of a new water supply and water storage facility.

19 "We have made tremendous progress since  
20 I gave my window of opportunities speech nearly four  
21 years ago.

22 "The overwhelming success of Prop 204 in  
23 1996 showed commitment of Californians to restoring  
24 the Bay-Delta and solving our state's water-quality  
25 and reliability problems.

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1 Central Valley, Southern California. It must be a  
2 balanced program that meets the water supply needs,  
3 water qualities objectives, and the ecosystem  
4 restoration, and system of integrity in the Bay-Delta  
5 estuary.

6 The importance of sustaining agriculture  
7 and other industries is critical. Retirement of  
8 agricultural lands should not be looked upon as the  
9 solution to California's water supply problems, or  
10 restoring the Bay-Delta.

11 Water transfers must be on a voluntary  
12 basis only.

13 We know that some agricultural lands  
14 will naturally go out of production through urban  
15 growth and development, drainage problems, and other  
16 factors.

17 However, we cannot take water from one  
18 segment of our economy or from one region to satisfy  
19 the needs of another.

20 We must adhere to the CALFED solution  
21 principal that the ultimate solution have no  
22 significant redirected impact.

23 I also feel that we cannot meet  
24 objectives of the CALFED program without new water  
25 supply and water storage facilities.

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1 Proposition 204 gave a needed boost to  
2 the CALFED Bay-Delta Program by providing critical  
3 funding for the ecosystem restoration, water-quality  
4 and reliability projects in the Delta.

5 "With the recent release of the CALFED  
6 programmatic EIR/EIS, which contains three  
7 alternatives for resolving the Bay-Delta conflict, we  
8 have reached a milestone.

9 Yet, the most difficult task,  
10 identifying a preferred alternative, is still ahead.  
11 The success of the CALFED process is of critical  
12 importance to our environment and economic prosperity  
13 as we move into the twenty-first century.

14 This is not about the water wars of the  
15 past. This is not about north versus south. This is  
16 about California's future, cities, farms, and the  
17 environment, all regions of the state. It is about  
18 building consensus. It is about getting better  
19 together.

20 In order for CALFED to be successful,  
21 the long-term solutions must have something that  
22 interests all people, all can take home, whether it  
23 is urban water users, the environmental community,  
24 the farming community, or other business interests.  
25 It must be sellable to the north as well as the

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1 Thank you.

2 MR. BODOVITZ: Thank you very much,  
3 Miss Schraff.

4 Les Clark, Harvey Campbell and Paul  
5 Hendrix.

6 MR. CLARK: Good evening. My name is  
7 Les Clark. And I'm the vice president of Independent  
8 Oil Producers, AMC. And, also, I'm a member of the  
9 Southern California Water Committee and the Kern  
10 County Water Agency.

11 Tonight I'm going to wear my oil hat.

12 We, too, are interested in a good,  
13 reliable, dependable, and reasonable priced water  
14 source. As you know, in this area we have a heavy  
15 crude, and there's a certain amount of water that's  
16 needed to make sure that we have the steam available  
17 to bring it back up. Through those methods we've  
18 been able to improve our recovery process from 30 up  
19 to 50 percent, 60 percent in some cases.

20 So we are vitally interested.

21 I think as we go through this process,  
22 and as we endorse the CALFED process, I'm into  
23 endorsing any process that will pay attention to what  
24 needs to be done. I can say right now, I'm for  
25 Alternative 3. That's the way us oil folks are.

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1 Let's build it. Let's get on with the program.  
2 That's the way we look at it.  
3 But I think as you go through that, I  
4 think the assurances that the package will be  
5 implemented is the bottom line. And I think that has  
6 to be established early on.  
7 Whatever we agree to, that's what we  
8 agree to, and we go on. I mean, the balanced  
9 approach, those type of thought processes are built  
10 in. To me, that is a long-term solution. But the  
11 only way we're going to get there is if we all agree.  
12 I think just to hit on a few points that  
13 have already been discussed, maybe a little more  
14 emphasis. For example, the ecosystem restoration and  
15 making sure that we pay attention to environmental  
16 concerns. I think most everybody knows that that's  
17 what we're going to do.  
18 The cooperative environmental management  
19 approach is a must. We know that.  
20 I think, also, with regards to storage.  
21 That's a must.  
22 No one has mentioned El Nino. I'm going  
23 to do it.  
24 What if we had a lot of storage  
25 facilities in existence; wouldn't that have been

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1 years.  
2 I must say that the San Joaquin Valley  
3 must have the most efficient and economic method of  
4 getting the water we have and to increase the water  
5 available to the valley.  
6 We cannot put 500,000 acres of  
7 production out of production to decrease water use.  
8 It was, it is a ludicrous suggestion.  
9 To talk about conservation and the fact  
10 that, quote, "water-saving," shift from low-value  
11 water-intensive crops to higher-value crops that use  
12 less water. That is an oxymoron. You don't do that.  
13 The farmers have to grow what they can make money on.  
14 There is farmer water conservation.  
15 They have increased the efficiency and, of course,  
16 are cognizant of the need for the amount of water  
17 that the crop requires. You don't just cut the water  
18 off because you have a more efficient system. It has  
19 a consumptive use factor. Along with that were some  
20 of the types of suggested water conservation. You  
21 get salt buildup, and you have to flush that salt  
22 out.  
23 So the cropping pattern is up to the  
24 farmer for what he can maximize his return.  
25 Who pays? Who pays? The farmer pays.

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1 great, the amount of water we could have captured? I  
2 know you guys can't fix that problem.  
3 With regards to the ag land out of  
4 production, I really have some concern with that. I  
5 look at an acre of land being like an oil well. And  
6 if we start taking acres of land out of production, I  
7 know what's next.  
8 So, with that, again, there's a lot of  
9 other comments, but Alternative 3, I vote for that.  
10 And I'm hoping you guys will say yes right now. Can  
11 you do that?  
12 Thank you.  
13 MR. BODOVITZ: Thank you, Mr. Clark.  
14 Harvey Campbell, Paul Hendrix, and  
15 Arthur Unger.  
16 MR. CAMPBELL: Thank you, gentlemen, and  
17 audience that's left.  
18 I'm an agricultural consultant. I'm not  
19 part of the city, county, state, federal person, an  
20 official of any board organization, nor am I a  
21 lawyer. I'm an agricultural consultant who has spent  
22 twenty-six years working with farmers in the San  
23 Joaquin Valley.  
24 I've been through hot, cold, drought,  
25 insects, wet, and dust; we've had it all over those

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1 And the crops are determined by what the land value  
2 is and what the water availability is.  
3 I urge you to get the most water,  
4 develop the storage, and get it down here most  
5 efficiently, because agriculture is the backbone of  
6 California.  
7 Thank you.  
8 MR. BODOVITZ: Thank you, sir.  
9 Paul Hendrix, Belridge Water Storage  
10 District, Arthur Unger of the Sierra Club, and Dennis  
11 Fox.  
12 MR. HENDRIX: Thank you for the  
13 opportunity to provide comments tonight on this most  
14 important subject.  
15 My name is a Paul Hendrix. And I'm the  
16 general manager of Belridge Water Storage District.  
17 The district is located in western Kern County, and  
18 provides water for primarily agricultural use to some  
19 50,000 acres.  
20 The district's sole source of water is  
21 148,000 acre feet of entitlement from the state water  
22 project.  
23 I look back to your public scoping  
24 session held in Bakersfield on April 18th, 1996, and  
25 the comments expressed on that day, and find much of

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1 What was said then, relevant today.  
2 We still look to CALFED for a long-term  
3 solution to Delta problems. We still view the accord  
4 as the three-year, now four-year interim solution,  
5 one that cost major Delta exporters significant  
6 amounts of water.

7 The overriding concern then was that the  
8 CALFED objectives and the ten alternatives did not  
9 address the need for increases in Delta exports. The  
10 alternatives spoke only of reducing mismatch between  
11 Delta water supplies and beneficial uses.

12 Now, in evaluating the three  
13 alternatives in the EIS/EIR, we remain concerned over  
14 the lack of attention paid to the need for water  
15 supply increases. We hear only of improvements to  
16 water supply reliability. This in the context of  
17 increased water conservation, water use efficiency,  
18 land retirement, and agricultural-to-urban transfers.

19 We are thus driven to conclude that the  
20 CALFED program aims at reliably less water for  
21 agricultural users. And this, we cannot support.

22 A truly balanced program should  
23 expressly address water supply increases as well as  
24 the full complement of ERRP actions.

25 Alternatives 1 and 2 are gambles into

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1 The broad land use and social issues  
2 related to retiring agricultural land will overwhelm  
3 the CALFED effort, serving only to derail it from its  
4 primary goal of solving the Bay-Delta fishery, water  
5 quality, and water supply problems.

6 As your EIS/EIR process approaches  
7 finality, we hope to hear more about how the selected  
8 alternative is to meet the needs of one of the key  
9 stakeholders, the agricultural community in the  
10 southern San Joaquin Valley.

11 Again, thank you for your time and  
12 listening to us here tonight.

13 MR. BODOVITZ: Thank you, Mr. Hendrix.

14 Arthur Unger, Sierra Club, followed by  
15 Dennis Fox.

16 MR. UNGER: Thank you for listening to  
17 our chapter again.

18 I'm Arthur Unger. I'm an endangered  
19 species activist for the Kern Kaweah chapter of the  
20 Sierra Club.

21 I haven't finished reading the 3500  
22 pages that you have turned out, and I hope you don't  
23 make us get our comments in by the announced  
24 deadline.

25 So far as AB-3616, if you have

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1 the future. Gambles that habitat improvements alone  
2 will bring about sustainable fish populations such  
3 that Delta exports can continue.

4 Fish populations will continue to rise  
5 and fall, the causes of which will likely never be  
6 fully understood. Indeed, the ever-increasing number  
7 of introduced species alone leads one to question  
8 just what types of populations the habitat  
9 improvements called for in the ERRP will be  
10 supporting.

11 Alternative 3 is the only alternative  
12 which can do much to reduce entrainment at the state  
13 and federal pumps, the key problem which should be  
14 addressed in any selective program.

15 On the subject of land retirement, we've  
16 all heard much about the supposed benefits and  
17 impacts of retiring agricultural land in the San  
18 Joaquin Valley, and the ability or inability to grow  
19 a like amount of food and fiber elsewhere.

20 It seems to me, however, that the  
21 purview of the several state and federal agencies  
22 that comprise CALFED, one being the U.S. Department  
23 of Agriculture, is limited to the specific land,  
24 water, and environmental resources which they strive  
25 to protect.

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1 difficulty finding the written reason why the  
2 environmental community didn't sign that, let me  
3 know, but you probably have that document already.

4 AB-3616, I hope it works. It's  
5 voluntary. It's got loopholes, but we don't sell  
6 agriculture short. If it's working, that's great.

7 About land retirement. I hope the  
8 EIS/EIR details how vastly we are using or, perhaps I  
9 should say, misusing land retirement. I'm sorry that  
10 the gentleman from the Board of Supervisors isn't  
11 here.

12 The Kern County Board of Supervisors  
13 never saw a project that they didn't okay. They've  
14 put concrete and asphalt and biologically sterile  
15 lawns over many, many square miles of our best  
16 agricultural land.

17 The environmentalists talk about  
18 retiring the land that has the most -- that needs the  
19 most water per-unit jobs and per-unit production.  
20 That land is where we're going to push agriculture if  
21 we keep on retiring the best land around Bakersfield,  
22 around Visalia, and so forth, in the East Valley.

23 The business about more valuable crops,  
24 doubtless you have the study from the Pacific  
25 Institute that said that if we do more with fruits,

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1 nuts, and vegetables, and less with alfalfa, hay, and  
2 probably cotton in the lands where it takes more  
3 water to grow cotton, we will have the same \$24  
4 billion that we have today on much less water.

5 Thank you.

6 MR. BODOVITZ: Thank you, Mr. Unger.

7 Dennis Fox.

8 MR. FOX: Thank you, Mr. Chairman and  
9 members of the board.

10 I'm going to discuss unwillingness to  
11 pay, which I think nobody wants to pay. But it's  
12 going to have -- costs will have to be spread out all  
13 over.

14 I do wish to announce I think that the  
15 document -- there's a few things I think should be  
16 added in, and they are not -- they're kind of an  
17 aside, but looking at it statewide, should be in  
18 there, assurance things, water credits, and, you  
19 know, CALFED loans, I'll get to it.

20 I do not bifurcate conservation from  
21 cost pricing.

22 The purchase of the wetlands, that's the  
23 quote, unquote, "pseudo environmentalists," will eat  
24 up the restoration fund. Therefore, no responsible  
25 bona fide environmental organization will go for it.

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1 but now, which a city like Bakersfield uses  
2 one-eighth of the water, but pays most of the water  
3 bill for the county, is that it creates a  
4 disincentive for bond support and discourages urban  
5 conservation and ag economy. And as ag uses less  
6 water, the price is going to go up. Therefore,  
7 tiered pricing in the urban area, like Willie Sutton  
8 says, "That's where the money -- and everything is  
9 ready.

10 I'll continue this later.

11 Thank you.

12 MR. BODOVITZ: Thank you, Mr. Fox.

13 That's the last signed speaker for  
14 tonight.

15 Thank you all for coming and  
16 conducting -- giving us a lot of comments in a very  
17 short time. Thank you.

18

19 (End of proceedings: 9:00 p.m.)

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1 Those who propose it are reformers in  
2 drag, or loose revolutionaries. I do not believe  
3 that anybody is going to give them any credence,  
4 because locally they have been actively endangering  
5 species in this watershed, in Tulare Lake Basin; now  
6 they wish to go to Monterey.

7 This is a two-for. They can agrarian  
8 reform and also endanger -- eliminate critters and  
9 restoration.

10 There is land purchases, most of it  
11 because it does not create a demand to eliminate that  
12 problem. We're looking at 400,000 acres lost to salt  
13 by the year 2040 according to the state, food and ag.

14 These lands, if they are purchased,  
15 should be purchased at the actual cost.

16 I would prefer to see them reverted to  
17 past rural uses. That would provide taxes and jobs.  
18 However, there should be no taxes given -- or any  
19 fees, sub-pensions, to counties such as this which  
20 contribute to the problem rather than alleviate it  
21 through unwise land and water use.

22 I would like to get into another example  
23 of what has happened from previous -- when they had  
24 the state water bond, is the concept of benefit  
25 zones. It might have been a slick move at that time,

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1 STATE OF CALIFORNIA }  
2 COUNTY OF KERN } ss.

3 I, Timothy Scott, a California Certified  
4 Shorthand Reporter, holding Certificate No. 8517, do  
5 hereby certify:

6 That the proceedings of the CALFED  
7 Bay-Delta Program Public Hearing, made at the time  
8 and place therein set forth, was recorded  
9 stenographically by me and thereafter transcribed  
10 into typewriting under my direction and supervision.

11 That the foregoing transcript is a full,  
12 true and correct record of the proceedings.

13 I further certify that I am neither  
14 counsel for nor related to any party to said action  
15 nor in any way interested in the outcome thereof.

16 EXECUTED this 3rd day of May, 1998, at  
17 Bakersfield, California.

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\_\_\_\_\_  
Timothy Scott,  
California CSR No. 8517

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2 COUNTY OF KERN } ss.

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6 VERIFICATION OF CERTIFIED COPY

7 I, Timothy Scott, a California Certified  
8 Shorthand Reporter, holding Certificate No. 8517, do  
9 hereby certify that the attached transcript is a  
10 correct copy of the original transcript of the  
11 proceedings of the CALFED Bay-Delta Program Public  
12 Hearing, taken before me on Wednesday, April 29,  
13 1998, as therein stated.

14 I declare under penalty of perjury under  
15 the laws of the State of California that the  
16 foregoing is true and correct.

17

18 EXECUTED this 3rd day of May, 1998, at  
19 Bakersfield, California.

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23 California CSR No. 8517

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2 ) ss.  
3 COUNTY OF KERN )

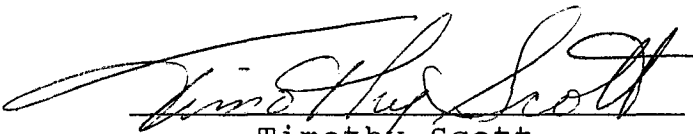
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